

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 12/4/2017

BOARD MEMBERS PRESENT: Paul J Morgan - Chair
H Scott Calhoun
B Jane McClaran
Eric J Brinton
Douglas D Vollmer

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Eric Nelson, Board Prosecutor
Roger Hales, Naylor and Hales
Cesley Metcalfe, Technical Records Specialist
Deborah Sexton, Management Assistant
Dicsie Gullick, Management Assistant

The meeting was called to order at 8:30 AM MST by Paul J Morgan.

APPROVAL OF MINUTES

Mr. Brinton made a motion to approve the minutes of 10/23/2017 and 11/20/2017. It was seconded by Ms. McClaran. Motion carried.

EXECUTIVE ORDER

Ms. Cory reviewed the Executive Order issued by Acting Governor Little which requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadlines to submit proposed rule and law revisions to the Governor's Office have passed for the 2018 Legislative Session. The deadline to submit proposed law changes to the Governor's Office is July and the deadline to submit proposed rule changes to the Governor's Office is August for the 2019 Legislative Session.

Ms. Cory stated that she has been attending meetings around the state with Board members and Legislators. Mr. Vollmer provided an update regarding the recent meeting in Twin Falls. He said the legislators who attended liked the forum and appreciated the information provided. Mr. Brinton provided an update regarding the recent meeting in Coeur d' Alene, stating that attendants stayed longer than they had originally planned and that it was a good discussion. Ms. Cory said that the meetings are to provide information to the Legislators regarding the Board's laws and rules, finances, and upcoming legislation for the 2018 Legislative Session.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$506,004.86 as of 11/30/2017.

DISCIPLINE

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order in case I-REA-2017-7. Ms. McClaran made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Vollmer made a motion to approve the Bureau's recommendations and authorize closure in cases I-REA-2017-25, I-REA-2018-5, I-REA-2018-7, and I-REA-2018-8. It was seconded by Mr. Calhoun. Motion carried.

Mr. Calhoun made a motion to approve the Bureau's recommendation and authorize closure in case I-REA-2018-10. It was seconded by Mr. Vollmer. Motion carried.

The Board reviewed the probation log. No action was taken.

INTERIM COMMITTEE UPDATE

Ms. McClaran updated the Board on the November 13, 2017 Administrative Hearing Officer Committee meeting. Ms. McClaran stated that the committee was formed to address actual or perceived bias in the administrative hearing process.

Mr. Ellsworth updated the Board on the draft legislation presented at the Interim Committee's last meeting that would make changes to Idaho Administrative

Procedures Act and the way contested cases are handled. The Bureau submitted a letter to the committee which met on Oct. 2, 2017 seeking clarification and rationale for some of the proposed changes. As the Bureau receives additional information, it will be provided to the Board.

Mr. Calhoun made a motion to name Ms. McClaran as the official delegate of the Board. Ms. McClaran will follow the progress of the interim committee and report to the Board. It was seconded by Mr. Brinton. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

APPRAISAL MANAGEMENT COMPANY (AMC) RENEWAL APPLICATION

The Board reviewed a draft version of the AMC renewal application and discussed additional changes. The Board directed Bureau staff to make the requested changes to the renewal application and bring it back to the Board for review at the next scheduled meeting.

APPRIASAL MANAGEMENT COMPANY (AMC) NAME CHANGE APPLICATION

The Board reviewed a draft version of the AMC name change application and discussed additional changes. The Board directed Bureau staff to bring the name change application back to the Board for action at the next scheduled meeting.

NEW BUSINESS

COMMENT ON PROPOSED LAW AND RULE

Mr. Hales reviewed a comment the Board received from Mr. Brian O'Neill on its proposed law and rule. Mr. Calhoun made a motion to authorize Mr. Hales and Mr. Calhoun to draft a response to Mr. O'Neill. It was seconded by Mr. Vollmer. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from an appraiser who would like to see discussion on a rule change regarding the value amounts in the definition of a "state licensed residential real estate appraiser". The Board directed the Bureau to respond with a letter explaining that the Appraisal Qualifications Board (AQB) sets this standard and should be contacted regarding this matter.

The Board reviewed correspondence from a loan officer who has concerns regarding possible future changes to appraiser licensing qualifications. The Board directed the Bureau to respond with a letter explaining that the Appraisal

Qualifications Board (AQB) sets this standard and should be contacted regarding this matter.

EXECUTIVE SESSION

Mr. Calhoun made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. McClaran. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

Mr. Calhoun made a motion to come out of executive session. It was seconded by Mr. Brinton. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to approve applicant 901144669 for exam. It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to table applicant 901135466 pending receipt of additional information. It was seconded by Mr. Brinton. Motion carried.

Mr. Calhoun made a motion to approve applicant 901155423 pending receipt of additional information and submission for the Chair to review. It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to approve the following for licensure:

AAA Appraisal Management Company LLC	AMC-4608
Applied Valuation Services	AMC-4602
Appraisal Nation, LLC	AMC-4610
RPM Appraisal Services, Inc.	AMC-4611
Value Trend Solutions LLC	AMC-4595

It was seconded by Ms. McClaran. Motion carried.

NEXT MEETING was scheduled for February 6, 2018 at 8:30 AM.

ADJOURNMENT

Mr. Vollmer made a motion to adjourn the meeting at 11:49 AM. It was seconded by Ms. McClaran. Motion carried.

Paul J Morgan, Chair

H Scott Calhoun

B Jane McClaran

Eric J Brinton

Douglas D Vollmer

Tana Cory, Bureau Chief